

REMARKS

Entry of the foregoing and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.111 and in light of the remarks which follow, are respectfully requested.

At the outset, Applicants hereby affirm the election of invention Group I, claims 1-24, for examination on the merits in the present application.

By the above amendments, claim 2 been canceled without prejudice or disclaimer. Claims 1 and 21 have been amended to recite that the first humidity in the moisture-proofed container is within a range of $\pm 15\%$ RH with respect to a second humidity, wherein the polarizing plate is stuck to a liquid crystal cell at the second humidity. Support for such amendments can be found in the instant specification at least at page 3, lines 18-19. Claims 1 and 21 have also been amended to recite that the moisture-proofed container comprises a laminate structure of polyethylene terephthalate, aluminum and polyethylene. Support for such amendments can be found in the instant specification at least at page 54, lines 37-38. Support for newly added dependent claim 27 can be found in the specification at least at page 54, line 38.

Claims 1, 8 and 21 have been amended for readability purposes. It is noted that minor revisions have been made to the language of claims 1 and 21, in order to correct typographical errors in the listing of claims set forth in the Preliminary Amendment filed June 22, 2006. Such revisions have been made without underlining or strikethrough, as they are merely to make such claims consistent with the language of the originally filed claims.

Withdrawn method claims 25 and 26 have been amended to depend from independent claim 1. Applicants request rejoinder of method claims 25 and 26 in the present application upon indication of the allowability of product claim 1. See M.P.E.P. §821.04. In addition, Applicants expressly reserve the right to file one or more divisional applications directed to the claimed subject matter withdrawn from consideration as a result of the Examiner's previous restriction requirement.

In the Official Action, claims 1-3, 7-9 and 18-24 stand rejected under 35 U.S.C. §103(a) as being obvious over Japanese Patent Document No. JP 2002-071949 (*JP '949*) in view of U.S. Patent No. 6,573,652 (*Graff et al*). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Independent claim 1 is directed to a polarizing plate housed in a moisture-proofed container, and independent claim 21 is directed to a moisture-proofed container housing a polarizing plate.

As discussed in the instant specification at page 2, Applicants have observed, for example, that problems can arise when a liquid crystal display is used under varying environmental conditions, since the optical compensation function of the cellulose acetate film can fluctuate depending on such conditions. For example, Applicants have observed that the R_e retardation value and the R_{th} retardation value of the cellulose acetate film can be adversely influenced by changes in humidity. According to exemplary aspects, Applicants have discovered a polarizing plate and a moisture-proofed container which can, for example, significantly ameliorate or eliminate the above problems caused by environmental changes, in particular changes in the relative humidity.

JP '949 does not disclose or suggest each feature recited in independent claims 1 and 21. For example, *JP '949* does not disclose or suggest a polarizing plate housed in a moisture-proofed container, wherein a first humidity in the moisture-proofed container is from 40% RH to 65% RH at 25°C, wherein the first humidity in the moisture-proofed container is within a range of $\pm 15\%$ RH with respect to a second humidity, wherein the polarizing plate is stuck to a liquid crystal cell at the second humidity, as recited in claim 1. Nor does *JP '949* disclose or suggest a moisture-proofed container housing a polarizing plate, which has a first, internal humidity of 40% RH to 65% RH at 25°C, wherein the first humidity in the moisture-proofed container is within a range of $\pm 15\%$ RH with respect to a second humidity, wherein the polarizing plate is stuck to a liquid crystal cell at the second humidity, as recited in claim 21.

By comparison, *JP '949* relates to an optical compensation sheet composed of a sheet of a cellulose acetate film. See abstract. *JP '949* discloses that if a cellulose acetate film is used as the aforementioned optical compensation sheet, the cellulose acetate film may curl and various problems may be produced. See paragraph [0007] of machine translation. *JP '949* further discloses that if a curl value is large, "it becomes easy to produce failure of air bubbles . . . and it is required also from this that a curl value should be small." Paragraph [0007]. Thus, *JP '949* is concerned with preventing curl in the cellulose acetate film. Such document has no recognition or suggestion of the significance of the relative humidity conditions under which a polarizing plate is housed in a moisture-proofed container.

The Patent Office has taken the position that *JP '949* teaches that the polarizer is disposed in a liquid crystal display device wherein the humidity of the

environment is 65% RH at 25°C. See Official Action at page 4, lines 2-4. Applicants respectfully but strenuously disagree with this assertion. Such relative humidity and temperature conditions disclosed by *JP '949* **are the conditions at which a curl value measurement is taken**, and do not pertain to the conditions at which the polarizer is disposed in a liquid crystal display device, as alleged by the Patent Office. Rather, such conditions are presumably meaningful because they are the preferred conditions under which the curl value measurement is taken. Quite clearly, the disclosure relied on by the Patent Office has nothing to do with the conditions under which a polarizing plate is housed in a moisture-proofed container.

Simply put, *JP' 949* has no disclosure or suggestion of the relative humidity conditions under which a polarizing plate is housed in a moisture-proofed container, nor any recognition of the significance thereof.

Furthermore, *JP '949* fails to disclose or suggest that the first humidity in the moisture-proofed container is within a range of $\pm 15\%$ RH with respect to a second humidity, wherein the polarizing plate is stuck to a liquid crystal cell at the second humidity, as recited in claims 1 and 21.

Graff et al fails to cure the above-described deficiencies of *JP '949*. In this regard, the Patent Office has relied on *Graff et al* for disclosing the use of a moisture-proofed container to house a display device. See Official Action at page 4. However, like *JP '949*, *Graff et al* does not disclose or suggest a polarizing plate housed in a moisture-proofed container, wherein a first humidity in the moisture-proofed container is from 40% RH to 65% RH at 25°C, as presently claimed. Nor does *Graff et al* disclose or suggest that the first humidity in the moisture-proofed

container is within a range of $\pm 15\%$ RH with respect to a second humidity, wherein the polarizing plate is stuck to a liquid crystal cell at the second humidity.

For at least the above reasons, it is apparent that independent claims 1 and 21 are not obvious over the alleged combination of *JP '949* and *Graff et al.*

Accordingly, withdrawal of the above rejection is respectfully requested.

Claims 4 and 5 stand rejected under 35 U.S.C. §103(a) as being obvious over *JP '949* in view of *Graff et al.*, as evidenced by U.S. Patent No. 6,600,034 (*Sato et al.*).

Claims 6, 10, 11, 13 and 16 stand rejected under 35 U.S.C. §103(a) as being obvious over *JP '949* in view of *Graff et al.*, and further in view of U.S. Patent Application Publication No. 2003/0218709 (*Ito et al.*). Claims 12, 14, 15 and 17 stand rejected under 35 U.S.C. §103(a) as being obvious over *JP '949* in view of *Graff et al.*, and further in view of U.S. Patent No. 6,814,914 (*Tasaka et al.*). Withdrawal of the above rejections is respectfully requested for at least the following reasons.

Sato et al., *Ito et al.* and *Tasaka et al.* fail to cure the above-described deficiencies of the alleged combination of *JP '949* and *Graff et al.* In this regard, the Patent Office has relied on *Sato et al.* for disclosing that a maximum degree of substitution of 3.00 corresponds to a maximum degree of acetylation of 62.5%. See Official Action at page 8. *Ito et al.* has been relied on for disclosing a cellulose acylate film having specific characteristics. See Official Action at page 9. *Tasaka et al.* has been relied on for disclosing that the equilibrium moisture content at 23°C and 80% RH is 1.5 to 3.0%. See Official Action at page 12.

However, like the alleged combination of *JP '949* in view of *Graff et al.*, the above applied documents fail to disclose or suggest a polarizing plate housed in a moisture-proofed container, wherein a first humidity in the moisture-proofed

container is from 40% RH to 65% RH at 25°C; nor do such documents disclose or suggest that the first humidity in the moisture-proofed container is within a range of $\pm 15\%$ RH with respect to a second humidity, wherein the polarizing plate is stuck to a liquid crystal cell at the second humidity.

For at least the above reasons, it is apparent that independent claims 1 and 21 are not obvious over the applied art. Accordingly, withdrawal of the above rejections is respectfully requested.

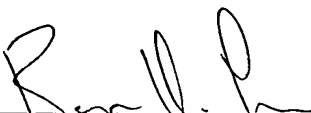
From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: July 24, 2008

By:



Roger H. Lee
Registration No. 46317

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620